

MEMO ENDORSED**COVINGTON**

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By ECF

August 19, 2024

Hon. Katherine Polk Failla
United States District Judge
U.S. District Court
40 Foley Square
New York, NY 10007

Re: *United States v. Dominic Labiran, S2 19 Cr. 462 (KPF)*

Dear Judge Failla:

On behalf of defendant Dominic Francis Labiran, we respectfully write to request that the Court withdraw its Oral Order of Referral to Probation for Presentence Investigation and Report for the reasons set forth on the record of the August 15, 2024 proceeding. The information in the record will enable the Court to meaningfully exercise its statutory sentencing authority at the sentencing hearing scheduled for September 18, 2024, such that a presentence investigation and report is not required. *See Fed. R. Crim. P. 32(c)(1)(A)(ii).* The Government consents to this request.

Thank you for your consideration.

Respectfully submitted,


Amanda Kramer
Nicholas Baer
Kevin JeanBaptiste, Law Clerk

Counsel for Dominic Labiran

cc: All Counsel of Record (via ECF)

Application GRANTED. The Court hereby WITHDRAWS its Oral Order of Referral to Probation for Presentence Investigation and Report (See August 15, 2024 Minute Entry). In light of that change, Defendant's sentencing submission is due on or before **September 4, 2024**, and the Government's sentencing submission is due on or before **September 11, 2024**.

The Clerk of Court is directed to terminate the pending motion at docket entry 162.

Dated: August 20, 2024
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE